



To the Honorable Council
City of Norfolk, Virginia

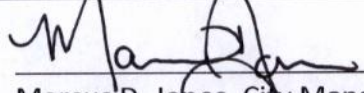
April 12, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception to operate a Tattoo Parlor at 5720 Hoggard Road, Suite B – Artisan Body Piercing**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-12**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special Exception to operate a tattoo parlor.
- IV. **Applicant:** Artisan Body Piercing
- V. **Description:**
 - The site is located on the north side of Hoggard Road southeast of the intersection of N. Military Highway and Poplar Hall Road.
 - This request would allow an existing establishment, Artisan Piercing, to add tattooing as a service.

	Proposed
Hours of Operation	10:00 a.m. until 10:00 p.m., Monday through Saturday 1:00 p.m. until 6:00 p.m., Sunday

- VI. **Historic Resources Impacts**
The structure is not located within a federal, state, or local historic district.
- VII. **Public Schools Impacts**
The site is located in the Poplar Hall Elementary School, the Lake Taylor Middle School and Booker T. Washington High School Attendance Zones.

Staff point of contact: Susan Pollock Hart at 664-4765, susan.pollock@norfolk.gov.

Attachments:

- Staff Report to CPC dated March 24, 2016 with attachments
- Proponents and Opponents
- E-mail of support from Glenrock Civic League
- Ordinance

Planning Commission Public Hearing: March 24, 2016

Executive Secretary: George M. Homewood, AICP, CFM *2/24/16*

Planner: Susan Pollock, CFM *sp*

Staff Report	Item No. 4	
Address	5720 Hoggard Road, Suite B	
Applicant	Artisan Body Piercing	
Request	Special Exception	Tattoo Parlor/School
Property Owner	Zcal, LLC	
Site Characteristics	Site/Building/Space	20,802/7,150/1,166 sq. ft.
	Future Land Use Map	Commercial
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Glenrock
	Character District	Suburban
Surrounding Area	North	C-2: Retail commercial
	East	C-2: Department of Motor Vehicle center
	South	C-2: Lone Star Steakhouse, IN-1 (Institutional): VFW Post
	West	C-2: Arby's, Boston Chicken



A. Summary of Request

- The site is located on the north side of Hoggard Road southeast of the intersection of N. Military Highway and Poplar Hall Road.
- This request would allow an existing establishment, Artisan Piercing, to add tattooing as a service.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- In February, the Planning Commission approved a zoning text amendment to allow Tattoo Parlors/School in the C-2 district by special exception.
 - This use is not permitted within 100 feet of a residential zoning district.
 - There are no residential districts within 100 feet of this site.

	Proposed
Hours of Operation	10:00 a.m. until 10:00 p.m., Monday through Saturday 1:00 p.m. until 6:00 p.m., Sunday

ii. Parking

No additional parking will be required to add tattooing to an existing retail establishment.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low-risk flood zone.

D. Transportation Impacts

- No new trips are forecast related to the proposed addition of tattooing at this existing retail services location.
- N. Military Highway adjacent to the site is not an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

E. Historic Resources Impacts

The structure is not located within a federal, state, or local historic district.

F. Public Schools Impacts

The site is located in the Poplar Hall Elementary School, the Lake Taylor Middle School and Booker T. Washington High School Attendance Zones.

G. Environmental Impacts

The site was developed under current development standards and no new landscaping opportunities are available.

H. Surrounding Area/Site Impacts

By requiring this use to conform to the conditions listed below, the proposed establishment should not have a negative effect on the surrounding neighborhood.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

- Notice was sent to the Glenrock Civic Leagues on February 9.
- The applicant contacted the civic leagues on January 12.
- A letter of support was received from the Civic League on February 10.

K. Communication Outreach/Notification

- Legal notice was posted on the property on February 16.
- Letters were mailed to all property owners within 300 feet of the property on March 11.
- Legal notification was placed in *The Virginian-Pilot* on March 10 and March 17.

L. Recommendation

Staff recommends **approval** of the special exception request, considering compliance with *Zoning Ordinance* requirements, subject to the conditions below:

- a. The hours of operation shall be from 10:00 a.m. until 10:00 p.m., Monday through Saturday and 1:00 p.m. until 6:00 p.m., Sunday. The operating hours indicated herein require that all tattooing procedures cease prior to the time of closing. If a tattooing procedure which begins during operating hours is not completed before the time of closing, the procedure must cease prior to the time of closing and may be resumed on another day during permitted operating hours. This condition shall be strictly construed and enforced.
- b. The business shall not be opened to the public until a tattoo parlor permit has been granted by the Norfolk Health Department.

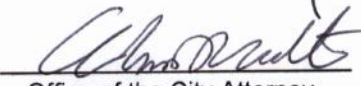
Attachments

Location Map
Zoning Map
Application
Notice to the Glenrock Civic League

03/22/2016 lds

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A TATTOO PARLOR NAMED "ARTISAN BODY PIERCING" ON PROPERTY LOCATED AT 5720 HOGGARD ROAD, SUITE B.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a tattoo parlor named "Artisan Body Piercing" on property located at 5720 Hoggard Road, suite B. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 139 feet, more or less, along the northern line of Hoggard Road beginning 164 feet, more or less, from the eastern line of North Military Highway and extending eastwardly; premises numbered 5720 Hoggard Road, suite B.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation shall be limited to 10:00 a.m. until 10:00 p.m. Monday through Saturday and 1:00 p.m. until 6:00 p.m. on Sunday. The operating hours indicated herein require that all tattooing procedures cease prior to the time of closing. If a tattooing procedure which begins during operating hours is not completed before the time of closing, the procedure must cease prior to the time of closing and may be resumed on another day during permitted operating hours. This condition shall be strictly construed.
- (b) The business shall not be opened to the public unless and until a tattoo parlor permit has been granted by the Norfolk Health Department.

Section 2:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or

other types of pollution which cannot be mitigated;

- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Pollock, Susan

From: Glenrock Neighborhood Assoc. <wewatchglenrock@live.com>
Sent: Wednesday, February 10, 2016 12:31 PM
To: Straley, Matthew
Subject: RE: new Planning Commission application - 5720 Hoggard Road

Thank you Mr. Straley.

I have previous spoken to the owners about their future plans and will share them with our community. As it stands, I don't believe we will have any objects, as long as their plans fall within purview of the city codes.

r/
David~

From: Straley, Matthew [mailto:Matthew.Straley@norfolk.gov]
Sent: Wednesday, February 10, 2016 11:07 AM
To: wewatchglenrock@live.com; Poplarhallcivicleague@yahoo.com
Cc: Riddick, Paul <paul.riddick@norfolk.gov>; Williams, Angelia M. <angelia.williams@norfolk.gov>; Goldin, Jamie <Jamie.Goldin@norfolk.gov>; Pollock, Susan <susan.pollock@norfolk.gov>
Subject: new Planning Commission application - 5720 Hoggard Road

Mr. Hicks and Mr. Rawls,

Attached please find the application for a special exception to operate a tattoo parlor at 5720 Hoggard Road.

The item is tentatively scheduled for the March 24, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Susan Pollock Hart* at (757) 664-4765, susan.pollock@norfolk.gov

Thank you.

Matthew Straley
GIS Technician II

Location Map

POPLAR HALL DRIVE

HOGGARD ROAD

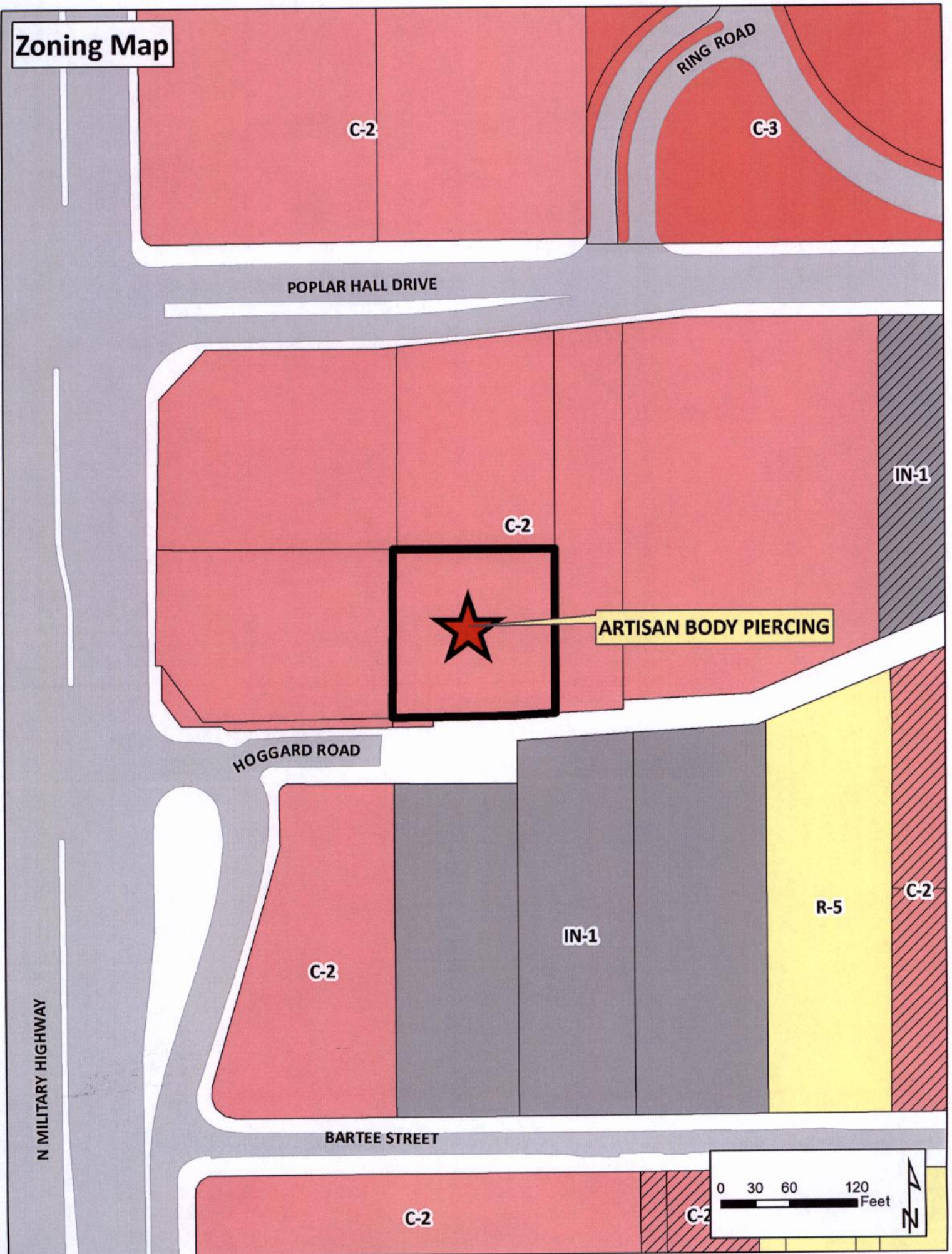
N MILITARY HIGHWAY

ARTISAN BODY PIERCING

0 20 40 80 Feet



Zoning Map





**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: tattoo parlor in the C-2 district

Date of application: January 15, 2016

DESCRIPTION OF PROPERTY

Property location: (Street Number) 5720 (Street Name) Hoggard Road

Existing Use of Property Body Piercing

Current Building Square Footage 1,166 sf

Proposed Use

To add tattooing to an already existing Body Piercing Shop

Proposed Square Footage N/A

Proposed Hours of Operation:

Weekday From 10 am To 10 pm

Friday From 10 am To 10 pm

Saturday From 10 am To 10 pm

Sunday From 1 pm To 6pm

Trade Name of Business (If applicable) Artisan Body Piercing

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

**Application
Special Exception
Page 2**

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant (757) Fax ()

E-mail address of applicant:

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant (757) Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner (757) email:

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: David Hex (Glenrock Civic League)

Date(s) contacted: 1-12-2016

Ward/Super Ward information:

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Michael P. Zargas Sign: [Signature] 1/15/2016
(Property Owner or Authorized Agent of Signature) (Date)

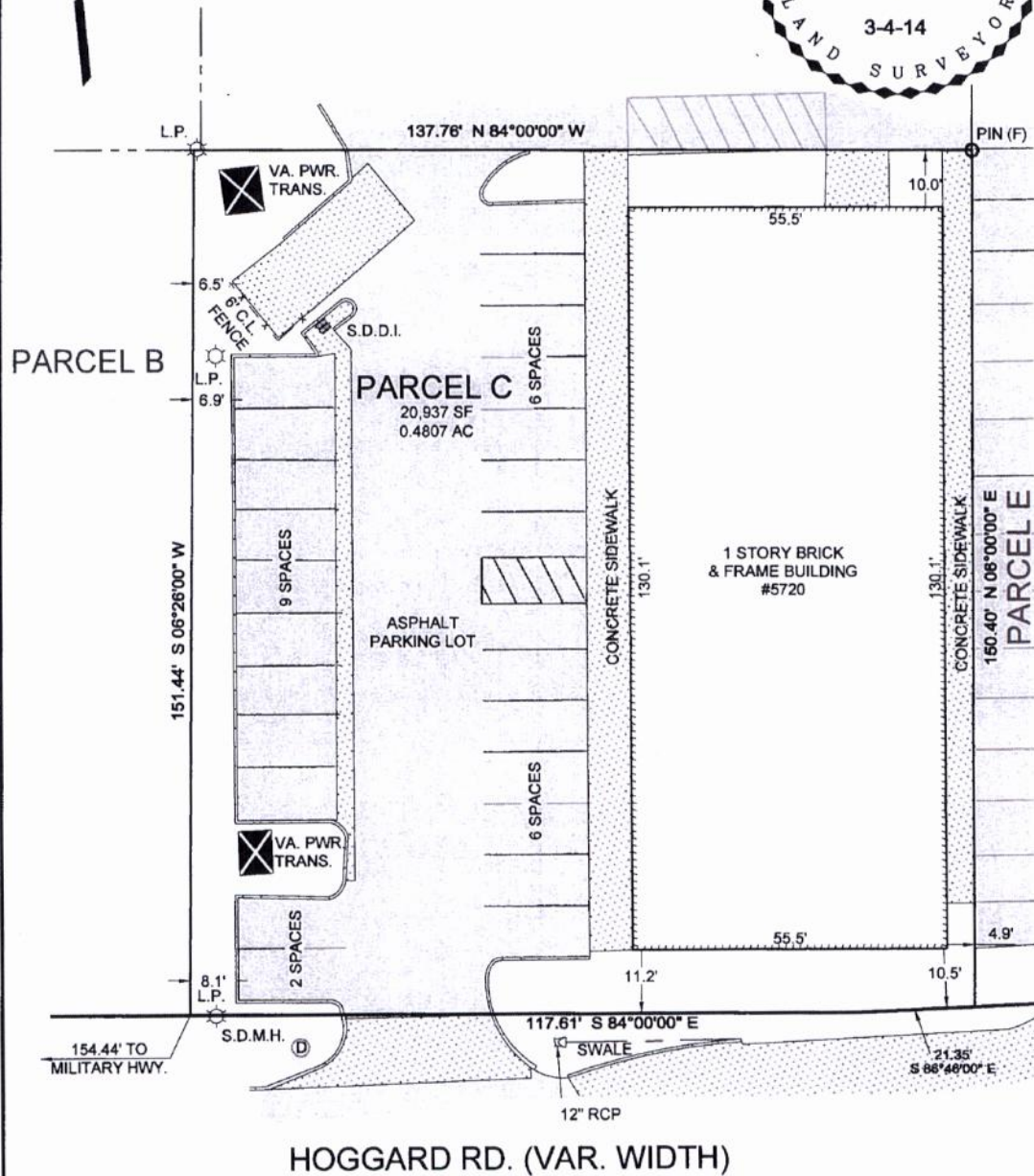
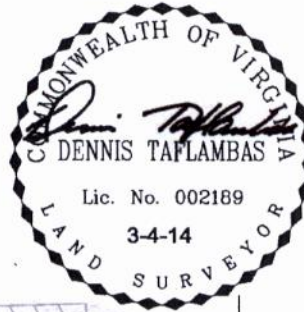
Print name: Katie Schemmel Sign: [Signature] 1/22/16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / ____ / ____
(Authorized Agent Signature) (Date)

1. THIS IS TO CERTIFY THAT I, ON MARCH 4, 2014, SURVEYED THE PROPERTY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE ONLY EASEMENTS APPEARING ON THIS SURVEY ARE THOSE WHICH WERE SHOWN ON THE RECORDED SUBDIVISION PLAT UNLESS OTHERWISE NOTED.
2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE(S) X AS SHOWN ON THE N.F.I.P. MAP FOR THE CITY OF NORFOLK, MAP/PANEL 510104-0145 F, DATED 9-2-09. BASE FLOOD ELEV = N/A FINISHED FLOOR ELEV = N/A

NOW OR FORMERLY
THOMAS LANE STOKES
& JACK B. STOKES



HOGGARD RD. (VAR. WIDTH)

DKT Associates
LAND SURVEYORS

1100 GRANBY STREET
SUITE 100
NORFOLK, VIRGINIA 23510
(757) 588-5888 FAX: (757) 588-5880

PHYSICAL SURVEY OF

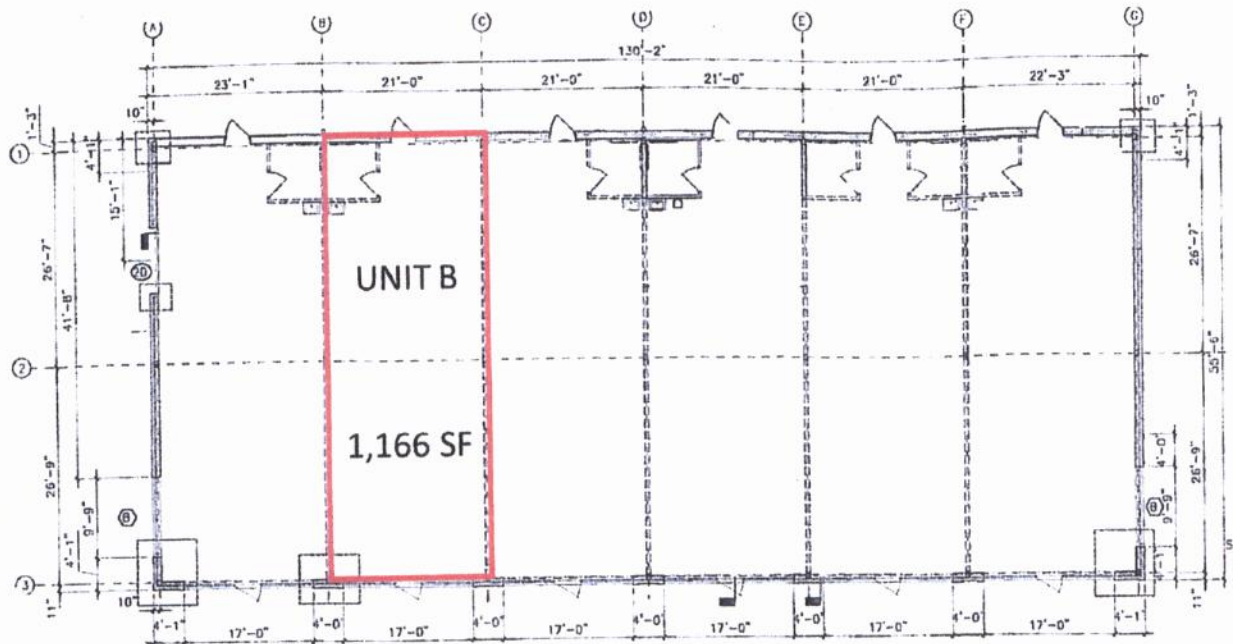
**PARCEL C, SUBDIVISION & STREET DEDICATION OF
PARCELS A, B, C, D & E**

NORFOLK, VIRGINIA M.B.33 P.68

FOR: **ZCAL, LLC**

DRAWN	MJB	SCALE	1" = 25'
CHECK	DT	JOB	6878
DATE	3-4-14	REVISED	N/A
FIELD BOOK	105	SHEET	1 OF 1

EXHIBIT "A"
SITE PLAN



Pollock, Susan

From: Straley, Matthew
Sent: Wednesday, February 10, 2016 11:07 AM
To: 'wewatchglenrock@live.com'; 'Poplarhallcivicleague@yahoo.com'
Cc: Riddick, Paul; Williams, Angelia M.; Goldin, Jamie; Pollock, Susan
Subject: new Planning Commission application - 5720 Hoggard Road
Attachments: Artisan Body.pdf

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Thank you.

Matthew Straley
GIS Technician II



City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov

